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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,328	01/23/2004	Eisuke Wayama	056203.49700C2	4959
23911	7590	02/15/2005	EXAMINER	
CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300			KWON, JOHN	
			ART UNIT	PAPER NUMBER
			3747	

DATE MAILED: 02/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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EXAMINER

ART UNIT

PAPER

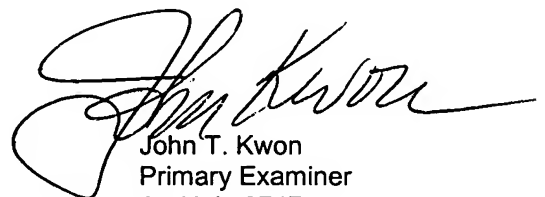
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**Commissioner for Patents**

The timely submission under 37 CFR 1.129(a) filed on January 3, 2005 is not fully responsive to the prior Office action because applicant fails to elect one of the species. The claim 4 is considered to be a genetic claim. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.



John T. Kwon  
Primary Examiner  
Art Unit: 3747